



Town of Mashpee

*16 Great Neck Road North
Mashpee, Massachusetts 02649*

BOARD OF HEALTH – PUBLIC SESSION

Minutes of the Meeting of June 23, 2016

Board Members Present:

Kalliope Egloff, Chair
Lucy Burton, Co-Chair
Brian Baumgaertel, Clerk

Also Present:

Glen Harrington, Health Agent

Chair Kalliope Egloff called the meeting to order at 7:00 PM.

APPOINTMENTS

7:15 PM – Title V Variance – 80 Waterway.

Michael Borselli of Falmouth Engineering, representing Mr. and Mrs. Silvestro, the new owners of 80 Waterway, introduced himself to the Board.

Mr. Borselli commented that he designed the original plan for three bedrooms but was informed by Glen Harrington that the records indicate the dwelling was confirmed to have four bedrooms. Therefore, Mr. Borselli re-designed the leaching field for a four-bedroom capacity. The addition to the leaching field did not change the requested variances.

Mr. Borselli is requesting two variances for 80 Waterway:

1. A 4' variance, Soil Absorption System to the property line, for a 6' setback.
2. A 20' variance, Soil Absorption System to the Bordering Vegetated Wetland, for an 80' setback.

Glen Harrington remarked that with regards to the variances the road layout is fine; however, the Board of Health regulations state that any system less than 100' to the watercourse requires a denitrification system.

Brian Baumgaertel made a motion that the Board of Health approve the plans for 80 Waterway with the provision that an Innovative Alternative Septic System be included in the final design and approve the variances as submitted. Lucy Burton seconded the motion. The motion was unanimously approved.

7:20 PM – Nitrogen Aggregation Loading Plan Request – 63 Waterway.

Matt Costa of Cape and Islands Engineering, representing 63 Waterway, introduced himself to the Board.

Mr. Costa commented that he is requesting approval of a facility aggregation plan for nitrogen loading purposes for 63 Waterway. The facility property located at 63 Waterway is within the Department of Environmental Protection Zone II Map containing 14,345 square feet of area. Mr. Costa is requesting to use 25,655 square feet of credit area from the credit property with an address of 0 Leather Leaf Lane to achieve a four-bedroom 40,000 square-foot nitrogen loading calculation. The sample nitrogen restriction and easement documents with the credit property and the facility property have been submitted along with the deeds. At the last meeting a master plan of the credit property was requested, and once the plan is revised Mr. Costa will submit it to Glen Harrington.

Lucy Burton made a motion that the Board of Health approve the Nitrogen Aggregation Plan for 63 Waterway. Brian Baumgaertel seconded the motion. The motion was unanimously approved.

NEW BUSINESS

1. Sign Expense Warrants. The Board members signed the expense warrants.

2. Review/Approve BOH Public Session Minutes: June 2, 2016.

Lucy Burton made a motion that the Board of Health approve the Public Session minutes of June 2, 2016. Brian Baumgaertel seconded the motion. The motion was unanimously approved.

3. Fiscal Year 2017 Landfill Contract.

Glen Harrington commented that one bid out of three requests for the FY2017 Landfill Contract was received. Tighe & Bond, the existing environmental contractor, submitted the only bid with the monitoring fee increasing slightly. Mr. Harrington had previously discussed with Tighe & Bond that they should perform a reduction in monitoring, which will require approval by the Department of Environmental Protection.

Brian Baumgaertel made a motion that the Board of Health approve the Ashers Path Landfill Environmental Monitoring Contract for FY2017 to Tighe & Bond. Lucy Burton seconded the motion. The motion was unanimously approved.

4. Request for Reduction of Temporary Food Permit Fee: Shyla's Cookie Company.

Glen Harrington stated that this request is similar to that of BBQ Mike's for the same events: Mashpee Picnic and Fireworks, Food Truck Fridays, and the Oktoberfest. The Board recently granted a \$100.00 fee to BBQ Mike's as a caterer. Shyla's Cookie Company is a licensed Residential Kitchen. This is reasonable as a Mobile Food Permit allows mobile trucks to participate in all of the above stated events.

Lucy Burton made a motion that the Board of Health approve the reduction in the temporary food event fee for Shyla's Cookie Company to a one-time fee of \$100 for 2016. Brian Baumgaertel seconded the motion. The motion was unanimously approved.

5. Request for Reduction of Temporary Food Permit Fee: Trivilino's Bake Shop.

Glen Harrington commented that this is a similar request for a reduction of fees for the temporary food events: Food Truck Fridays, Mashpee Picnic and Fireworks, and Oktoberfest. Trivilino's Bake Shop is also a licensed Residential Kitchen; therefore, the same situation applies to that of Shyla's Cookie Company.

Lucy Burton made a motion that the Board of Health approve the reduction in the temporary food event fee for Trivilino's Bake Shop to a one-time fee of \$100 for 2016. Brian Baumgaertel seconded the motion. The motion was unanimously approved.

OLD BUSINESS

1. Amendment to Tobacco Sales Regulation: Board of Health.

Glen Harrington stated that he made the revisions according to the Board's request at the last meeting. Mr. Harrington deleted the definition of retail sales person; changed the definition from person to establishment so that the retail clerk is not directly fined; and changed the age of 18 years back to 16 years for the age of the sales clerk. The only aspect that remains is the original request raising the sales age from 18 to 21.

Brian Baumgaertel made a motion that the Board of Health raise the legal age of tobacco purchase from 18 to 21, as per the new Tobacco Sales Regulation. Lucy Burton seconded the motion. The motion was unanimously approved.

2. Housing Compliance Update: 394 Cotuit Road.

Glen Harrington remarked that Veronica Warden, Assistant Health Agent, has photographs of additional items collected at 394 Cotuit Road. The areas that were clean are getting cluttered again. Mr. Harrington would like

to meet with Erica Woods of the Cape Cod Hoarding Task Force to discuss a plan and a goal for 394 Cotuit Road. Vickie McFarland-Richter is now working full time, and has less time to organize the house.

Lucy Burton made a motion that the Board of Health continue the Housing Compliance Update for 394 Cotuit Road. Brian Baumgaertel seconded the motion. The motion was unanimously approved.

3. Septic Loan Waiver: 251 Great Neck Road North.

Glen Harrington commented that the principle balance on the promissory note for 251 Great Neck Road North has been paid by an anonymous benefactor. However, the outstanding penalties and interest for non-payment of the principle still remains. The Board will need to vote to eliminate the accrued penalty of \$3,310.35.

Lucy Burton made a motion that the Board of Health reduce the 1% interest on the promissory note for 251 Great Neck Road North, thereby eliminating any outstanding balance on the loan. Brian Baumgaertel seconded the motion. The motion was unanimously approved.

4. Request for 2016 Mobile Food License: Shawna's Dream Machine.

Glen Harrington stated that the application, fee, ServSafe Certification, Allergen Awareness Certificate, and State Hawkers and Peddlers License have been provided. The pre-operation inspection was performed on June 23, 2016. The Ice Cream Truck Vendor Certification from the Police Department has been submitted. The variance to request a waiver from having a commissary has been provided. Only pre-packaged items and bottled water are sold.

Lucy Burton made a motion that the Board of Health approve the 2016 Mobile Food Permit for Shawna's Dream Machine with the condition that only pre-packaged foods are sold and there is no food preparation on the truck. Brian Baumgaertel seconded the motion. The motion was unanimously approved.

ADDITIONAL TOPICS

None.

DISCUSSION

1. Meeting Update – Mashpee Cares Committee Meeting: Glen Harrington.

Glen Harrington remarked that no meeting was scheduled for the Mashpee Cares Committee.

2. Agent Update: Mobile and Temporary Food Permits for Mashpee Family Picnic and Fireworks.

Glen Harrington commented that there are twenty vendors attending the Mashpee Community Picnic and Fireworks on Friday, July 1, 2016.

NEXT MEETING

The next meeting of the Board of Health is scheduled for Thursday, July 14, 2016, at 7:00 PM. As there was no further business, Lucy Burton made a motion to adjourn the Public Session Meeting of the Board of Health at 7:58 PM. Brian Baumgaertel seconded the motion. The motion was unanimously approved.

Respectfully submitted,

Frances Boulos
Administrative Assistant
Mashpee Board of Health

attachments